

	Application No.	Applicant(s)
Notice of Allowability	09/623,775	HEISS ET AL.
	Examiner	Art Unit
	Clemence Han	2616
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. This communication is responsive to amendment received on 03/29/2006.		
2. The allowed claim(s) is/are <u>1-8</u> .		
 3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some* c) None of the: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). 		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		
4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.		
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.		
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached		
1) 🗌 hereto or 2) 🔲 to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).		
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.		
Attachment(s)	5 T N C	of and Data at Application (DTO 450)
1. Notice of References Cited (PTO-892)	-	nformal Patent Application (PTO-152)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)		ummary (PTO-413), /Mail Date
 MInformation Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date 	08), 7. ⊠ Examiner's	Amendment/Comment
Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. ⊠ Examiner's	Statement of Reasons for Allowance
-	9.	_·

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul Pysher on July 24, 2006.

2. The application has been amended as follows:

Claim 4, line 3, "; and" has been removed.

Claim 6, line 6, "in" has been removed.

Specification, page 5 line 29, previously amended "4" has been changed back to -3-;

Specification, page 6 line 11, "3" has been changed to -4-.

Allowable Subject Matter

- 3. Claim 1-8 are allowed.
- 4. The present invention is directed to a method for removing ATM cells from a waiting list. The prior arts in the record fail to teach or make obvious to a method comprising the end-of-frame identifier in association with non-frame ATM cell and removing all ATM cells up to the end-of-frame identifier within a

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structure of the claim. These features are claimed in the independent claims 1 and 6 and render them allowable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clemence Han whose telephone number is (571) 272-3158. The examiner can normally be reached on Monday-Thursday 7 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C. H.

Clemence Han Examiner

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